

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

MICHEAL IBENYENWA,	§	
Plaintiff,	§	
v.	§	CIVIL ACTION NO. 5:18cv68
ELRODDRICK WELLS, ET AL.,	§	
Defendants.	§	

ORDER

Plaintiff Micheal Ibenyenwa, proceeding *pro se*, filed this civil rights lawsuit under 42 U.S.C. § 1983 complaining of alleged deprivations of his constitutional rights. Docket No. 1. This Court referred the matter to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

Plaintiff filed a motion for a temporary restraining order or preliminary injunction complaining of allegedly false disciplinary cases filed against him. *See* Docket No. 8. He requested an order prohibiting prison officials from considering any disciplinary cases given to him in the six months prior to the filing of the motion and prior to May 3, 2018 in the grading of other disciplinary cases and custody reviews. *Id.* at 2–3. He also asked the Court to order the Polunsky Unit classification committee to stay his placement in G-5 custody status and to reconsider his placement in custody level G-3 without consideration of these prior disciplinary cases. *Id.*

After review of the pleadings, the Magistrate Judge issued a Report recommending denial of Plaintiff's motion for injunctive relief. Docket No. 21. Plaintiff received a copy of this Report on December 12, 2018, but filed no objections thereto; accordingly, he is barred from *de novo* review of those findings, conclusions, and recommendations. *Douglass v. United Services Automobile Association*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc).

The Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge and finds the Report's determinations are not clearly erroneous or contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law."). It is therefore

ORDERED that the Report of the Magistrate Judge (Docket No. 21) is **ADOPTED** as the opinion of the District Court. It is further

ORDERED that Plaintiff's motion for a preliminary injunction or temporary restraining order (Docket No. 8) is **DENIED**.

SIGNED this 12th day of March, 2019.

Robert W. Schroeder III
ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE